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11 Attorneys for Defendants OCWEN LOAN SERVICING, LLC, erroneously named as OCWEN  
12 LOAN SERVICING, and U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR  
13 STRUCTURED ASSET INVESTMENT LOAN TRUST, MORTGAGE PASS-THROUGH  
14 CERTIFICATES, SERIES 2004-8, erroneously named as US BANK, N.A.

14 **UNITED STATES DISTRICT COURT**

15 **DISTRICT OF NEVADA**

16 WILLIAM L. SNYDER &  
17 NORMA M. FELDMAN-SNYDER

18 Plaintiffs,

19 vs.

20  
21 US BANK, N.A. & OCWEN LOAN  
22 SERVICING

22 Defendants

) CASE NO.: 2:14-cv-01697-MMD-PAL

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) **REPLY TO OPPOSITION TO MOTION**

) **TO DISMISS COMPLAINT**

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25 **I. INTRODUCTION**

26 Plaintiffs' five page Opposition is conclusory and insufficient to establish that a claim is  
27 stated in their Complaint. The Opposition does not itemize or make clear what claim(s) are  
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1 alleged in the un-delineated Complaint, although it appears the Complaint alleges fraud. The  
2 Opposition concludes merely that this claim(s) is sufficiently pleaded under general citations for  
3 relaxed pleading standards. The Opposition does not demonstrate specifics as to how a fraud  
4 claim is stated, let alone the required elements including the who, what, how, when, and manner  
5 of authorization as to each of the Defendants. The claim cannot be stated in a couple general  
6 paragraphs against multiple parties to put each on sufficient notice as to the bases and elements  
7 of the claim(s). Fraud is a serious claim requiring some degree of specificity and particularity.  
8

9 Plaintiffs' Opposition ignores Defendants' law set forth in their Motion. The Opposition  
10 cites no substantive law to circumvent or establish any specific claim for fraud or other. For  
11 instance, there is no discussion in the Opposition to circumvent the law (1) that there is no  
12 contractual or legal duty to modify Plaintiff's defaulted loan; (2) the required tender of amounts  
13 due to reinstate the loan in the interim; (3) that Plaintiff(s) lack standing; or (4) that their  
14 purported fraud claim is out of context and fails as a matter of law against Defendants. (See  
15 Motion, Sections III-VI).  
16

17 Finally, Plaintiffs did not object to Defendants' Request for Judicial Notice of in support  
18 of the Motion. Plaintiffs' vague sequel action is again devoid and an improper use of judicial  
19 resources. Defendants' Motion should be granted and this action dismissed with prejudice.  
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## 21 **II. CONCLUSION**

22 For the reasons set forth in the Motion and further above, it is respectfully requested that  
23 the Motion be GRANTED and judgment of dismissal of Defendants be entered with prejudice,  
24 and for such other and further relief as deemed just and appropriate.  
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1 DATED: November 7, 2014

HOUSER & ALLISON  
A Professional Corporation

2  
3 /s/ Jeffrey S. Allison  
4 Jeffrey S. Allison, Esq.  
5 Attorneys for Defendants OCWEN LOAN  
6 SERVICING, LLC and U.S. BANK  
7 NATIONAL ASSOCIATION, AS  
8 TRUSTEE FOR STRUCTURED ASSET  
9 INVESTMENT LOAN TRUST,  
10 MORTGAGE PASS-THROUGH  
11 CERTIFICATES, SERIES 2004-8  
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**CERTIFICATE OF MAILING**

I hereby certify that I am over the age of eighteen (18), that I am not a party to this action, and that on this date I caused to be served a true and correct copy of the following documents:

**REPLY TO OPPOSITION TO MOTION TO DISMISS COMPLAINT**

By:   X   U.S. Mail

       Facsimile transmission

       Overnight Mail

       Hand and/or Personal Delivery

and addressed to the following:

WILLIAM L. SNYDER  
NORMA M. FELDMAN-SNYDER  
2336 Danville Ct.  
Henderson, NV 89074

Plaintiffs in Pro Se

Dated: November 7, 2014

s/ Courtney Hershey

An employee of HOUSER & ALLISON, APC